

FEB 12 2006

Copy of letter sent on 8 February 2006**F.H. PARKER**Ball Stone Farm
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VA223148th February 2006

Dear Ms Son T Nhuyen

Ref: 10/000,094 Polysaccharide mushroom compost supplements

I read with some considerable concern that this rejected patent application is in the process of appeal.

In the claims set out by Lapolt Dena L (US) and Dahlberg Kurt R (US) they cover the entire gamut of nutritional composition quoted originally by Schisler and Carol in 1976 US Patent 39429699. This specifies materials containing from 11 to 21 percent of polysaccharide. Even in 1991 US Patent 4,990,173 the Penfood specification contains up to 33 percent of polysaccharides. Many present day commercial supplements contain amounts of Soya bean hulls (35% Cellulose) in order to promote cool running.

The latest set of claims again also fails to differentiate the polysaccharides which may be utilised with safety and those, such as starch and glycogen, which unless grossly loaded with fungicides are totally destructive to compost due to heat surge and green mould colonisation. This negates claims 5,6, and 7.

Page 1


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With regard to Mr Veitenheimer's strangely invert logic in his analysis of my previous letters on the 13.10.04 and 25.5.05 to the US Patent office. I would like to make it clear that I certainly do not acknowledge the inventive aspects of this application or that the invention provided unexpected results for a long felt need in the mushroom cultivation arts.

Competent mycologists in the mushroom trade have utilised mixtures of polysaccharides, proteins and lipids as mushroom supplements for some thirty years. Prior to this pioneers of mushroom science, Styer 1930, Treshow 1944, Bohus 1959, Wood 1976 and Manning and Wood 1983 all realised that polysaccharides as well as protein and lipids were essential to mushroom growth and yield.

Should this application appeal be allowed in its present form then presumably the entire supplement manufacturing industry would be liable to pay royalty on products that they have been making since 1976 both in the U.S.A and world-wide.

Yours sincerely



Frank Parker

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